

**REMARKS:**

In the outstanding Office Action, the Examiner rejected claims 78-93. Claims 78-91 are amended herein, and claims 92 and 93 are cancelled without prejudice. Claims 1-77 remain cancelled. No new matter is presented.

Thus, claims 78-91 are pending and under consideration. The rejections are traversed below.

**REJECTION UNDER 35 U.S.C. § 102(b):**

Claims 92 and 93 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,056,019 (Schultz). As mentioned above, claims 92 and 93 are cancelled herein.

Therefore, withdrawal of the rejection is respectfully requested.

**REJECTION UNDER 35 U.S.C. § 103(a):**

Claims 78-93 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schultz and U.S. Patent No. 4,949,256 (Humble).

Schultz tracks purchases of consumers using bar-coded membership cards based on bar code reading of the cards upon presentation of the cards by the customers. Then, based on the information read from the cards, Schultz determines if the customers qualify for available purchase reward offers (see, col. 7, lines 60-64). That is, Schultz does not provide calculation of purchase reward offers until a purchase has already been executed, and only calculates the purchase reward offers when the consumer presents the identification/membership card.

The Examiner relies on Humble as teaching notification of the points when the customer is identified. However, Humble processes product coupons that customers present for redemption using cards that uniquely identify the customers' coupon accounts. In Humble, each participating customer is issued an identification card (96) identifying the particular customer, and after the card (96) is read to identify the customer, the customer may feed coupons into coupon reader (92) for calculation of the coupon credits to the customer's coupon account (see, col. 7, lines 15-26). That is, similar to Schultz, Humble only provides information of calculated points subsequent to a transaction and requires reading of the identification cards to do so.

In contrast, the present invention calculates and accumulates points issued with respect to execution of transactions as a customer executes the transactions and notifies the customer of the points using a designated website. For example, a customer accesses a website designated for traveler members for viewing mileage points issued by an airline, even before or without the customer executing a current transaction.

Independent claims 78-81, 85 and 89-91 as amended recite, "a designated website" which is accessed by a customer terminal for displaying cumulative points "without requiring that the customer execute a transaction". Each of the independent claims further recite that the present invention includes, "adjusting" the issued points "responsive to added and/or subtracted points according to the transactions" (see, claims 78-81, 85 and 89-91).

The combination of Schultz and Humble does not teach or suggest calculation of issued points as transactions are performed so that the customer is provided with an opportunity to view the cumulative points adjusted "responsive to added and/or subtracted points according to the transactions" using "the designated website" prior to a current transaction "without requiring that the customer execute a transaction" (see, claims 78-81, 85 and 89-91).

It is submitted that the independent claims are patentably distinguishable over Schultz and Humble.

For at least the above-mentioned reason, claims depending from the independent claims are also patentably distinguishable. The dependent claims are also independently patentable. For example, as recited in claim 82, "the notifying unit further notifies receivable services in a range of the customer's present cumulative points using the designated website." Schultz and Humble, alone or in combination, do not teach or suggest these features of claims 82 (see also, dependent claim 86).

Therefore, withdrawal of the rejection is respectfully requested.

#### **CONCLUSION:**

Accordingly, claims 78-91 are amended, claims 92 and 93 are cancelled, and claims 1-77 remain cancelled. Thus, claims 78-91 remain pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Serial No. 09/414,547


If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 02/27/2006

By:   
Temnit Afework  
Registration No. 58,202

1201 New York Ave, N.W., 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501